

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA  
ANDERSON DIVISION

Oren Ray Hall, #08549-074,  
Petitioner,

vs.

United States Parole Commission,  
Respondent.

Civil Action No. 8:04-23090-TLW-BHH

**ORDER**

This matter is before the court on the petitioner's motion to compel discovery. The petitioner, a state prisoner proceeding *pro se*, seeks habeas corpus relief pursuant to Title 28, United States Code, Section 2241. Pursuant to the provisions of Title 28, United States Code, Section 636(b)(1)(B), and Local Rule 73.02(B)(2)(c), D.S.C., this magistrate judge is authorized to review posttrial petitions for relief.

The petitioner contends that the respondent United States Parole Commission improperly forfeited street-time in his case in 1993 because part of the forfeiture included the time that he had spent in state custody following his parole to the state detainer.

On January 24, 2005, before the respondent was served with the petition, the petitioner filed a motion to compel the respondent to provide him with a tape-recorded "version of the Parole Examiners' statements" (pet. m. to compel 1). In its motion to dismiss, the respondent noted that it had responded to the petitioner's request on February 16, 2005, informing the petitioner that the tape is no longer available as tape recordings of parole hearings are kept for a period of only 10 years after the date of the hearing. According to the respondent, the 1993 tape has been destroyed. The respondent

provided the petitioner with a copy of the hearing summary of his parole hearing (resp. m. to dismiss 6 n. 1, ex. F, Y).

Wherefore, based upon the foregoing, the petitioner's motion to compel is denied.

IT IS SO ORDERED.

s/Bruce H. Hendricks  
United States Magistrate Judge

May 18, 2005

Greenville, South Carolina